

### REMARKS

The Office action of February 27, 2004, has been carefully considered.

Applicants have reviewed the specification, and noted some errors in the description. In particular, while Figure 2 has been described in the Brief Description of the Drawings as an abutment, in the actual Figure itself and in the description of the Figure, the numbering is consistent with a template. Applicants have therefore included a revised Figure 2 with new numbering, and amended the description in accordance with this new numbering, reflecting an abutment rather than a template.

Moreover, Applicants have also noted that Figures 6 and 8 are directed to abutments rather than templates, especially given the presence of bolt 18 which locks the abutment onto the implant. Applicants have therefore renumbered Figures 6 and 8 in accordance with the abutment as shown in Figure 2, and amended the specification in accordance with this new numbering. Applicants believe that these changes do not constitute new matter because one of ordinary skill in the art would understand that Figure 6 and 8 relate to abutments rather than templates.

Claims 10 through 16 have been rejected under 35 USC 112, second paragraph, as being indefinite.

Claims 10 through 16 have now been cancelled, and replaced by a new set of Claims 17 through 23.

In Claim 17, Applicants have recited a plurality of angled templates, wherein each template of the plurality of templates has a different inclined angle between 5 and 45°, and one of the templates is selected to determine a correct abutment to use.

Applicants believe that Claim 19, which replaces Claim

12, is written in a clear and definite fashion. It is noted that Claim 18 recites that the locator lug comprises a frusto-cone having a portion of smaller diameter towards a free end of the lug, and Claim 19 recites that the locator lug further comprises an extension piece extending from the frusto-cone toward the free end of the locator lug. Thus, neither claim recites that the portion of smaller diameter is at the free end of the lug, but only has the portion of smaller diameter, or an extension, towards the free end of the lug. With reference to Figure 1, it is noted that the portion of smaller diameter is towards the free end of the lug, even though there is an extension piece further in the direction of the free end.

It is noted that Claim 15 has been rewritten as new Claim 22, in which the shaft is adapted to mimic the adjacent teeth, rather than to mimic the angle.

Withdrawal of this rejection is requested.

Claims 10 through 16 have been rejected under 35 USC 103 over Harding et al.

The Office action states that the claims fail to make any distinction between the claimed abutment and the claimed plurality of templates, and therefore the claims fail to distinguish the invention from the prior art in which a plurality of differently angled abutments is provided and used as templates in selecting the abutment which is to be used.

In new Claims 17 and 23, the abutment is recited as being locked to the implant by interaction of a separable bolt which is externally threaded over a portion of its length with the internal threads of the implant. In contrast, the angled templates are defined as being of a single piece and comprising a body having a right cylindrical locator lug at one end thereof and a right cylindrical alignment shaft at a

opposite end therein. This locator lug is constructed and arranged to interact with the axial bore of the implant only when the implant and template are fully inter-engaged. The single piece construction can be seen from Figure 1 of the specification, and the recitation regarding the inter-engagement can be found at page 3, lines 25 through 28 of the specification.

Thus, the template of the invention excludes a separable bolt as is shown in Harding et al, but includes means which interact with the implant in order to rotate the implant only when the template and implant are fully engaged.

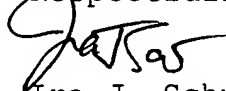
Applicants believe that it is not necessary to claim a set of abutments, which are otherwise known in the prior art. The structure of an abutment has been claimed to the extent necessary to distinguish them from the templates, by reciting the separable bolt which is externally threaded and which interacts with the internal threads of the implant to lock the abutment to the implant.

Applicants have thus clearly distinguished a template from an abutment, and clearly distinguished the templates of the invention over the abutments disclosed in the Harding et al reference.

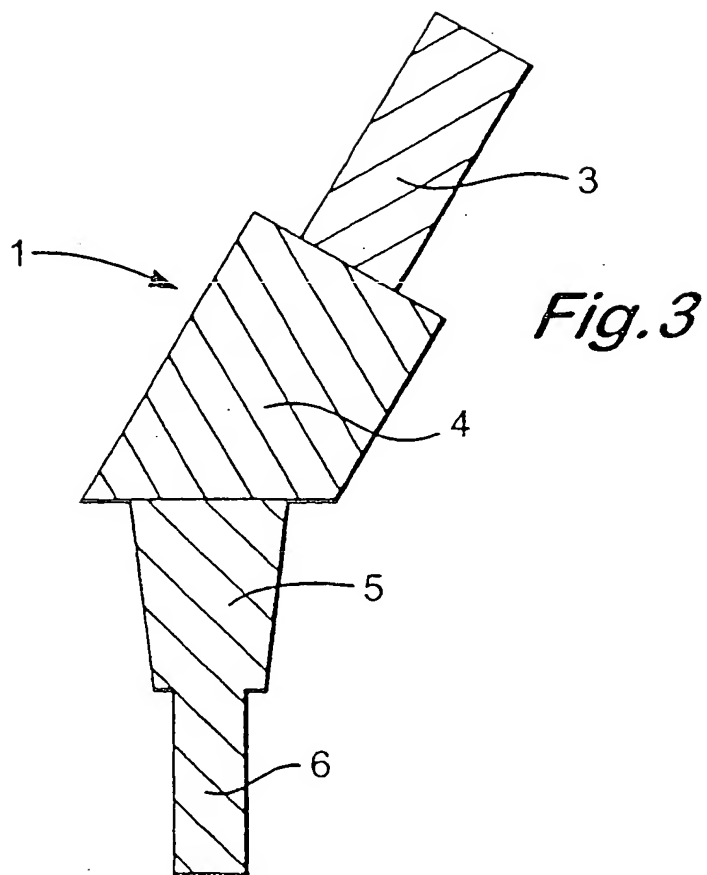
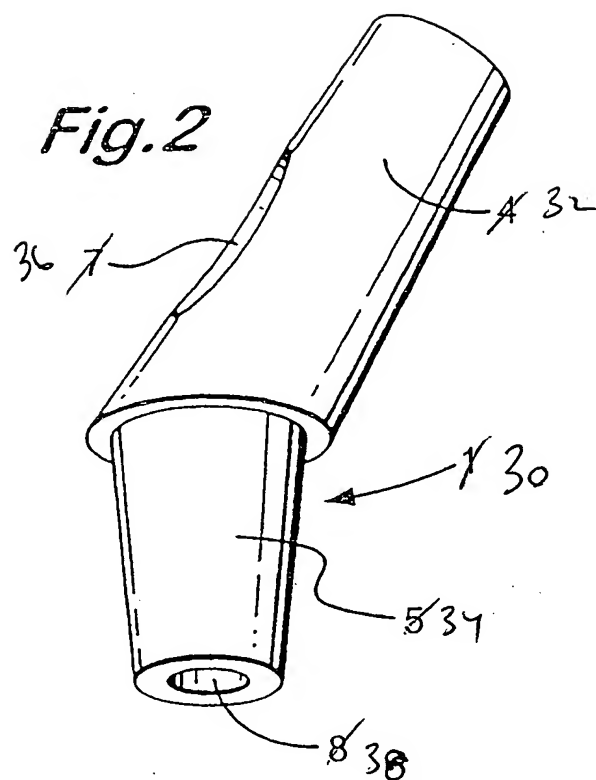
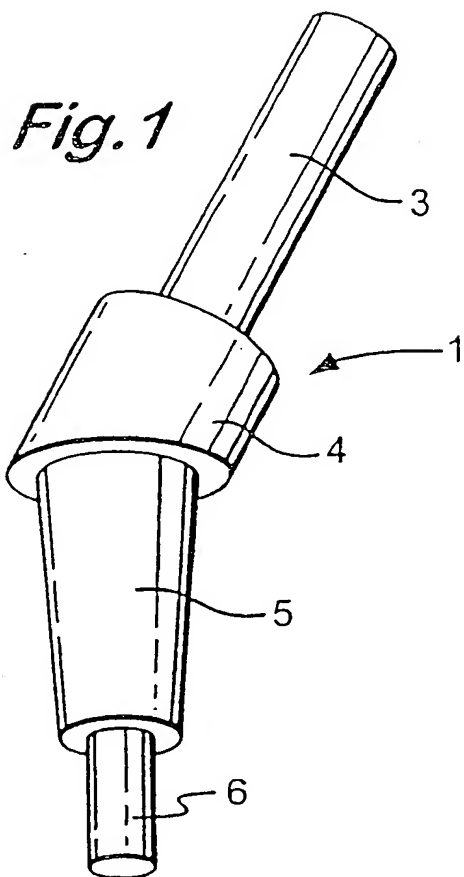
Withdrawal of this rejection is accordingly requested.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



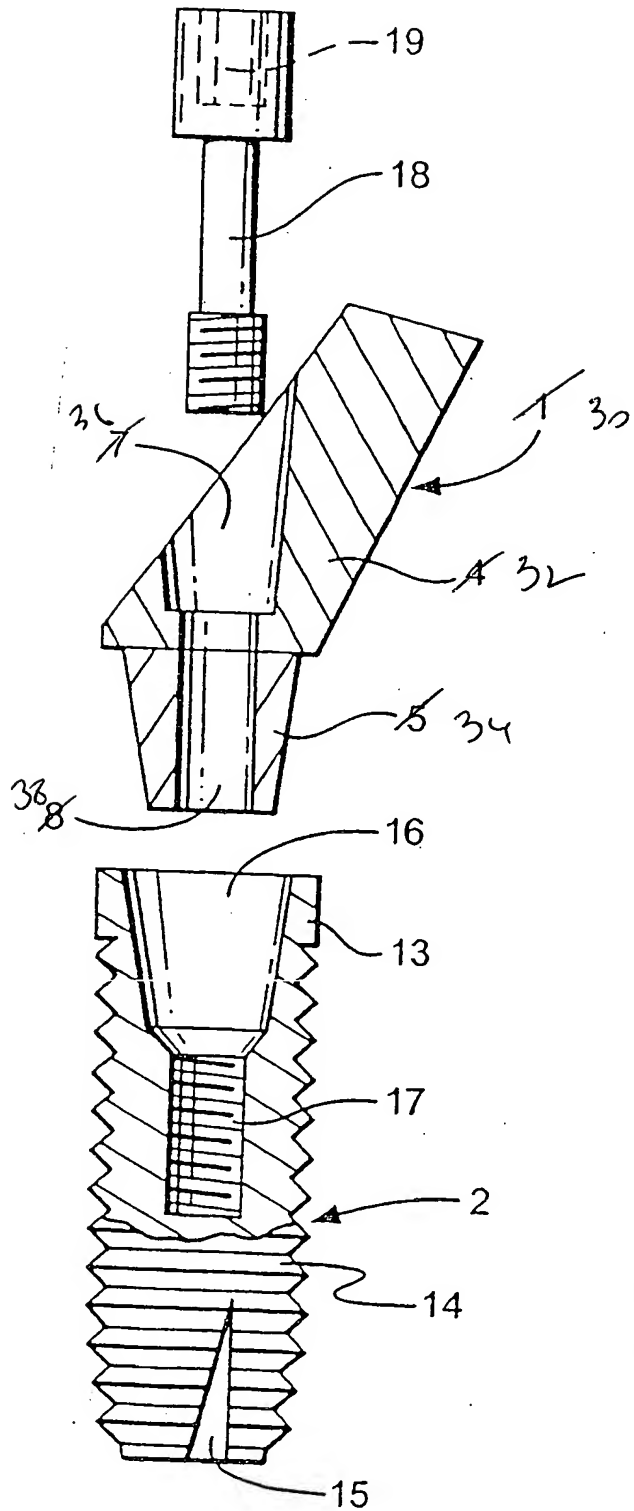
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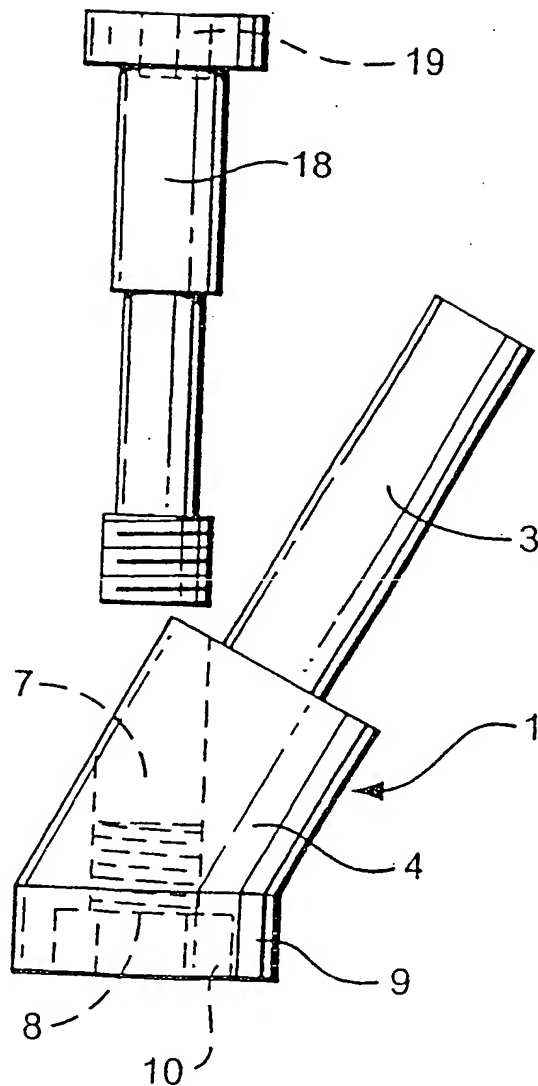


3/4 Amended Sheet

*Fig. 6*



*Fig. 7*





4/4 Amended Sheet

Fig. 8

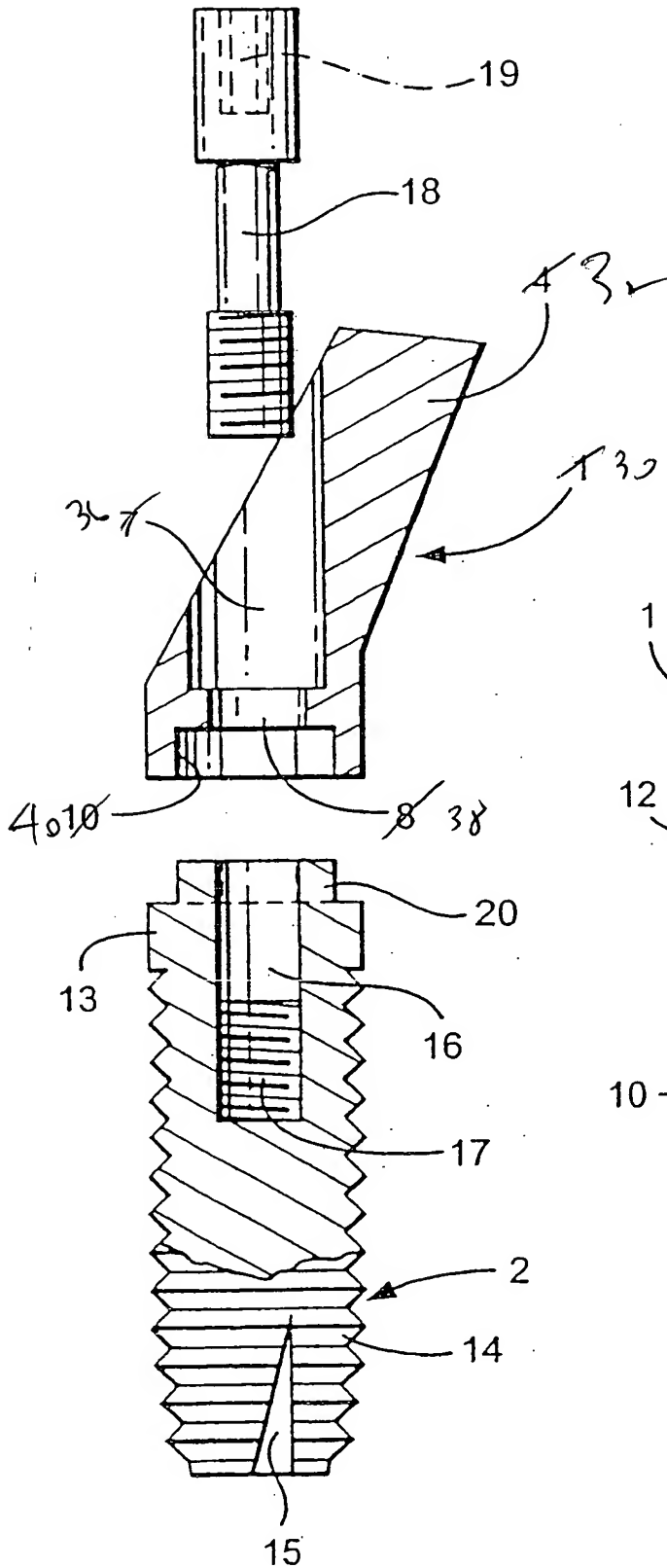


Fig. 9

